

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.1637 OF 2005

Vankateshrao Anantrao Javalkar ...Petitioner

Vs.

The State of Maharashtra & Anr. ...Respondents

Shri.M.K.Kocharekar i/b.Shri. C.K.Pendsefor the
Petitioner.

Ms.R.M. Gadhvi A.P.P. for the Respondents.

**CORAM : A. S. OKA, J.
DATED : JULY 01, 2005.**

P.C.:

1. Rule. Learned A.P.P. waives service for the Respondents. Taken up for hearing forthwith. The Petitioner's sister has challenged the order of externment passed against her by preferring a Statutory Appeal before the State Government. The prayer in this Petition is for permitting the Petitioner's sister to enter into the jurisdiction of Mumbai till the final disposal of the said Appeal.

2. When Statutory Appeal is pending, such relief cannot be granted in Writ Petition. Interests of justice will be served if the Appeal preferred by the externnee against the order of externment is ordered to be heard expeditiously.

3. Hence, Petition is disposed of by directing that the Appeal preferred against the Order dated 24th May, 2005 bearing No.26/C/43/05 passed by the Deputy Commissioner of Police, Circle 7, Mumbai shall be heard and decided by the Appellate Authority as expeditiously as possible and preferrably within period of six weeks from production of authenticated copy of this order.

4. All the concerned parties to act upon an authenticated copy of this order.

JUDGE